

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANN MARIE STINNETT,

Plaintiff,

CASE NO. 10-15043

v.

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

BROOKS KUSHMAN, P.C. and
MARK A. CANTOR,
jointly and severally,

Defendants.

**ORDER FINDING PLAINTIFF'S REQUEST FOR CLERK'S ENTRY OF DEFAULT AS
MOOT, AND THEREFORE DENIED**

On February 22, 2011, Plaintiff filed a Second Complaint and, shortly thereafter, an Amended Second Complaint (Dkt. Nos. 12, 13). On February 23, 2011, Defendants filed a Motion to Strike Plaintiff's Amended Second Complaint (Dkt. No. 14). The Court held a hearing on February 25, 2011.

Plaintiff then filed Certificates of Service, reflecting that Defendant Brooks Kushman, P.C., was served on April 1, 2011, and Defendant Mark Cantor was served on April 14, 2011. (Dkt. Nos. 32, 33). On April 21, 2011, Defendants filed an Emergency Motion for Extension of Time to File Answer and/or Clarify (Dkt. No. 37). On Sunday, April 24, 2011, Plaintiff filed a Request for Clerk's Entry of Default as to Defendant Brooks Kushman, P.C. (Dkt. No. 40).

On Monday, April 25, 2011, the Court issued an Order to Continue Sealing of Amended Second Complaint, Striking Portions of Original Amended Second Complaint, ordering as follows:

Plaintiff shall submit a proposed revised amended second complaint, conforming to this Order, to the Court within 2 weeks. That proposal shall be submitted under seal; if the Court determines that it complies with this Order, it will be unsealed.

Defendants are granted 14 days after the Court accepts and unseals the amended second complaint to respond to that complaint, thereby mooted their Emergency Motion to Clarify and/or Extend Time to Respond to Complaint.

(Order at 4).

Accordingly, because the Court has ruled that Defendants have 14 days after the Court accepts and unseals the revised Amended Second Complaint to file an Answer, Plaintiff's April 24, 2011 Request for Entry of Default is moot and therefore denied.

SO ORDERED.

S/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: April 26, 2011

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on April 26, 2011.

S/Denise Goodine
Case Manager